

Amendment After Final Rejection
May 10, 2004
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REMARKS

The final Office Action dated February 9, 2004 has been carefully reviewed. Claims 1, 4-6, 9 and 10 are pending in this patent application while claims 11, 14-16, 19 and 20 have been previously withdrawn. Reconsideration of this application in light of the following remarks is respectfully requested.

35 U.S.C. § 103 Rejection

Claims 1, 4-6, 9 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Coskrey, IV (U.S. Patent No. 6,676,016, hereinafter "Coskrey") in view of Hayashi (U.S. Patent 4,739,295). In light of the unavailability of the Coskrey reference for the cited combination under 35 U.S.C. 103(c), the final rejection should be withdrawn.

Use of the Coskrey Patent in the 35 U.S.C. § 103 Rejection is Improper

35 U.S.C. § 103(c) reads:

Subject matter developed by another person, which qualifies as prior art only under one or more of the subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

The above-identified § 103 rejection uses Coskrey as a prior art reference to support the § 103 ground of rejection. However, the Coskrey patent cannot be properly applied against the pending patent application under 35 U.S.C. § 103 because the pending patent application and the Coskrey patent are and have

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been owned by NCR Corporation. According to Attachment I, the assignment to NCR regarding the pending application was recorded in the U.S. Patent and Trademark Office ("PTO") at the time that the application was filed. Attachment II indicates that the assignment of the Coskrey patent to NCR is noted on the face of the patent. (See Attachments I and II). These documents attest to the common ownership of the subject matter in the Coskrey patent and Applicant's claimed invention at the time the invention was made. Accordingly, withdrawal of this rejection is respectfully requested. For a further explanation, see MPEP 706.02(I).

Conclusion

In view of the foregoing remarks, it is submitted that the ground of final rejection cannot be supported and should be withdrawn. Action to that end and allowance of all pending claims are hereby solicited.

Respectfully submitted,

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May 10, 2004

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Attachment I

Form PTO-1595 6-93 OMB No. 0651-0011 (exp. 4/94)		RECORDATION FORM COVER SHEET PATENTS ONLY	U.S. Department of Commerce Patent and Trademark Office
To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.			
1. Name of conveying party(ies): Daniel F. White		2. Name and address of receiving party(ies): Name: <u>NCR Corporation</u> Street Address: <u>1700 South Patterson Boulevard</u> City: <u>Dayton, OH 45479</u> Country: <u>United States of America</u> Additional name(s) & address(es) attached? [] Yes [X] No	
3. Nature of Conveyance: [X] Assignment [] Merger [] Security Agreement [] Change of Name [] Other _____ Execution Date(s): <u>08/29/00</u>			
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is <u>08/29/00</u> .			
A. Patent Application No(s)		B. Patent No(s)	
Additional numbers attached? [] Yes [X] No			
Title of Invention: Selective Omission of Transaction Data in a Digital Receipt NCR Docket No.: 9236 Our Docket No.: 1001-0700			
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Paul W. Martin</u> Internal Address: <u>NCR Corporation</u> <u>Law Department, ECD-2</u> Street Address: <u>101 W. Schantz Avenue</u> City: State: Zip: <u>Dayton, OH 45479-0001</u>		6. Total number of applications and patents involved <u>1</u>	
		7. Total fee (37 CFR §3.41): <u>\$ 40.00</u> [] Enclosed [X] Authorized to be charged to deposit account	
		8. Deposit Account number: <u>14-0225</u> (Attach duplicate copy of this page if paying by deposit account)	
DO NOT USE THIS SPACE			
9. Statement and signature. <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i>			
Paul W. Martin Name of Person Signing Registration No. <u>34,870</u>		Signature  Date _____ total number of pages including cover sheet, attachments and document <u>3</u>	
Mail documents to be recorded with required cover sheet information to: Commissioner of Patents and Trademarks, Box Assignments Washington, D.C. 20231			

ASSIGNMENT OF UNITED STATES PATENT APPLICATION

WHEREAS, I, DANIEL F. WHITE of Lilburn, Georgia; have invented certain new and useful improvements in a **SELECTIVE OMISSION OF TRANSACTION DATA IN A DIGITAL RECEIPT**, Docket No. 9236, for which I have executed an application for Letters Patent of the United States on 08/29/00; and

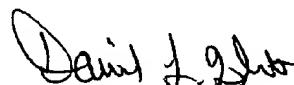
WHEREAS, NCR Corporation, a corporation of the State of Maryland, having its principal place of business in Dayton, Ohio, is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent that may be granted therefor in the United States and any and all foreign countries;

NOW, THEREFORE, be it known that in consideration of the sum of One Dollar (\$1.00) and of other valuable considerations, the receipt of which is hereby acknowledged, I do hereby sell, assign and transfer unto said NCR Corporation, its successors and assigns, the entire right, title and interest in and to the invention and improvements in any form or embodiment thereof, disclosed and claimed in said application, or which are disclosed and may be claimed; also the entire right, title and interest in and to any Letters Patent to be granted in the United States and its territorial possessions and in any and all foreign countries upon said invention in any form or upon any such improvements thereon, and in and to any and all divisions, reissues, continuations and extensions thereof; and I hereby authorize and request the Commissioner of Patents and Trademarks to issue any Letters Patent on said application to the said NCR Corporation, of Maryland, its successors and assigns.

pa

Further, I agree that I will communicate to said NCR Corporation, or its representatives, any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitution, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to NCR Corporation, make all rightful oaths and generally to do everything possible to aid said NCR Corporation, its successors and assigns, to obtain and enforce protection for said invention in the United States and in any and all foreign countries.

Signed at NCR R&D-ATLANTA, this 29th day of
August, 2000.

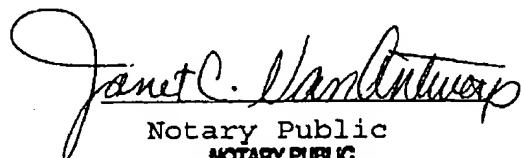


DANIEL F. WHITE

STATE OF GEORGIA)
) ss:
COUNTY OF GWINNETT)

On this 29th day of August, 2000, before me personally appeared DANIEL F. WHITE, to me personally known and known to be the person who signed the foregoing assignment, and acknowledged the signing thereof as his free act and deed.

(SEAL)



Notary Public
NOTARY PUBLIC
MY COMMISSION EXPIRES
MAY 15, 2001

Attachment II



US006676016B1

(12) **United States Patent**
Coskrey, IV

(10) Patent No.: **US 6,676,016 B1**
(45) Date of Patent: **Jan. 13, 2004**

(54) **RETAIL TERMINAL CONFIGURED AS CONSUMER GATEWAY TO ELECTRONIC BILLING APPLICATION**

(75) Inventor: Ernest C. Coskrey, IV, Lexington, SC (US)

(73) Assignee: NCR Corporation, Dayton, OH (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: **09/564,778**

(22) Filed: **May 4, 2000**

(51) Int. Cl. 7 **G06K 5/00**

(52) U.S. Cl. **235/380; 235/449; 235/375; 235/379; 235/382; 705/18**

(58) Field of Search **235/380, 449; 235/375, 379, 382; 705/18**

(56) **References Cited**

U.S. PATENT DOCUMENTS

4,672,377 A • 6/1987 Murphy et al. 235/375 X
6,032,859 A • 3/2000 Muehlberger et al. 235/449
6,182,894 B1 • 2/2001 Hackett et al. 235/380
6,212,504 B1 • 4/2001 Hayosh 235/375 X
6,234,391 B1 • 5/2001 Reichardt et al. 235/441
6,243,689 B1 • 6/2001 Norton 705/18
6,522,772 B1 • 2/2003 Morrison et al. 235/383

FOREIGN PATENT DOCUMENTS

JP 40411095 A • 4/1992

* cited by examiner

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Assistant Examiner—Allyson Sanders

(74) Attorney, Agent, or Firm—Maginot, Moore & Bowman LLP

(57) **ABSTRACT**

A retail terminal is utilized as a gateway to an electronic billing application that allows a user to gain access to the electronic billing application and thereafter tender payment for the bill. A paper bill that is sent to a user is encoded with user login information that is obtainable by the retail terminal. The retail terminal obtains the user login information from the bill and logs the user into the electronic billing application. Various peripheral devices associated with the retail terminal are configured to accept payment for the bill. In one form, the user login information is encoded as a bar code on the bill that contains a user ID and, optionally, a password. The present invention improves the usability and reliability of an electronic billing application. Further, the present invention minimizes the chance that a user will erroneously enter someone else's account number, and provide a level of security by ensuring that the user is in possession of the printed bill. The electronic billing application is configured to be accessed from the retail terminal, read the user's login information from the bill, authenticate the information, and accept payment therefor.

20 Claims, 3 Drawing Sheets

